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09/995,299	11/27/2001	Woon-kyung Lee	4591-222	9003

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EXAMINER

VU, DAVID

ART UNIT	PAPER NUMBER
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2818

DATE MAILED: 06/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/995,299

Applicant(s)

LEE, WOON-KYUNG

Examiner

DAVID VU

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03/24/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 2 and 3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1&4-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 1 and 4-13 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Regarding claims 1 and 12, the limitation of “implanting impurity ions into the first and second active regions prior to formation of the tunnel oxide layer and the gate oxide layer” appears to be new subject matter which is not described in the original disclosure.

Any arguments regarding this “new matter” rejection should include the location in the original disclosure where the pertinent subject matter can be found.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1, 4-7 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujii et al., (US 5,017,979).

In re claims 1, 4-5 and 11-12, Paterson et al, in related text (Col. 5, Line 40-Col. 6, Line 36) and figures (Figs. 1A-1F) disclose a method of fabricating a flash memory device having a cell array region and a peripheral circuit region, the method comprising: forming a device isolation layer 17 at a predetermined region of a semiconductor substrate 11 to define at least one first active region in the cell array region and a second active region in the peripheral circuit region; forming a floating gate pattern 18 covering the first active region and a gate conductive layer 18 covering the peripheral circuit region; forming a tunnel oxide layer 17 interposed between the floating gate pattern 18 and the first active region; forming a gate oxide layer 17 interposed between the gate conductive layer 18 and the second active region; implanting impurity ions into the first and second active regions prior to formation of the tunnel oxide layer and the gate oxide layer; sequentially forming an inter-gate dielectric layer 19 and a control gate conductive layer 20 on an entire surface of the substrate 11 having the floating gate pattern 181 and the gate conductive layer 182; and selectively removing the control gate conductive layer and the inter-gate dielectric layer which are located in the peripheral circuit region, thereby exposing the gate conductive layer 182 in the peripheral circuit region.

In re claims 6-7, in which the floating gate pattern and the gate conductive layer are formed of a doped polysilicon layer by ion implantation, using one of phosphor ion ( $\text{POCl}_3$ ) as dopants (Col. 11, Lines 7-17).

3. Claims 1, 4-6 and 9-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Kume et al., (US 5,188,976).

In re claims 1, 4-6 and 9-13, Kume et al, in related text (Col. 7, Lines 13-39) and figures (Figs. 3A-3E) disclose a method of fabricating a flash memory device having a cell array region and a peripheral circuit region, the method comprising: forming a device isolation layer 2 at a predetermined region of a semiconductor substrate 1 to define at least one first active region in the cell array region and a second active region in the peripheral circuit region; forming a floating gate pattern 5 covering the first active region and a gate conductive layer 5 covering the peripheral circuit region; forming a tunnel oxide layer 4 interposed between the floating gate pattern 5 and the first active region; forming a gate oxide layer 4 interposed between the gate conductive layer 5 and the second active region; implanting impurity ions into the first and second active regions prior to formation of the tunnel oxide layer and the gate oxide layer; sequentially forming an inter-gate dielectric layer 6 and a control gate conductive layer 7 on an entire surface of the substrate 1 having the floating gate pattern 5 and the gate conductive layer 5; and selectively removing the control gate conductive layer 7 and the inter-gate dielectric layer 6 which are located in the peripheral circuit region, thereby exposing the gate conductive layer 5 in the peripheral circuit region; forming a metal silicide layer 10a on the control gate

conductive layer 7 in the cell array region and the exposed gate conductive layer 5 in the peripheral circuit region.

4. Claims 1, 4-6 and 8-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Mori (US 2002/0008278A1).

In re claims 1 and 12, Paterson et al, in related text ([0138]) and figures (Figs. 14A-14D) discloses a method of fabricating a flash memory device having a cell array region and a peripheral circuit region, the method comprising: forming a device isolation layer 14 at a predetermined region of a semiconductor substrate 10 to define at least one first active region in the cell array region and a second active region in the peripheral circuit region; forming a floating gate pattern 22/24 covering the first active region and a gate conductive layer 22/24 covering the peripheral circuit region; forming a tunnel oxide layer 21a interposed between the floating gate pattern and the first active region; forming a gate oxide layer 21b interposed between the gate conductive layer and the second active region; implanting impurity ions into the first and second active regions ( See [0123]-[0124] and Fig. 1); sequentially forming an inter-gate dielectric layer 26 and a control gate conductive layer 28 on an entire surface of the substrate 10 having the floating gate pattern 22/24 and the gate conductive layer 22/24; and selectively removing the control gate conductive layer 28 and the inter-gate dielectric layer 26 which are located in the peripheral circuit region, thereby exposing the gate conductive layer 24 in the peripheral circuit region.

In re claims 4-6, in which the floating gate pattern and the gate conductive layer are formed of a doped polysilicon layer by ion implantation, using one of phosphor ion and arsenic ion as dopants ( See [0130]; [0006]; [0010] and [0148])

In re claim 8, in which forming the device isolation layer, the floating gate pattern and the gate conductive layer includes: forming a lower conductive layer on the entire surface of the semiconductor substrate; sequentially patterning the lower conductive layer and the semiconductor to form a trench region at a predetermined region of the semiconductor substrate and concurrently define at least one first active region in the cell array region and a second active region in the peripheral circuit region (See [0128]–[0129] and Fig. 6); forming a device isolation layer filling the trench region; forming an upper conductive layer on the entire surface of the substrate having the device isolation layer; and patterning the upper conductive layer to form a floating gate pattern covering the first active region and a gate conductive layer covering the peripheral circuit region, the floating gate pattern and the gate conductive layer being composed of a portion of the lower conductive layer and a portion of the upper conductive layer (See [0146] and Figs. 14A-D)

In re claims 9-10 and 13, further comprising: forming a metal silicide layer 29 on the control gate conductive layer 28 in the cell array region and the exposed gate conductive layer 24 in the peripheral circuit region (See [0145] and Fig. 14D)

In re claim 11, further comprising: patterning the control gate conductive layer, the inter-gate dielectric layer and the floating gate pattern that are located in the cell array region, thereby forming a word line crossing over the first active region and a floating gate interposed between the word line and the first active region; and patterning the gate conductive layer that are located in the peripheral circuit region, thereby forming a gate electrode crossing over the second active region. (See [0145] and Figs. 14A-14D)

***Response to Arguments***

5. Applicant's arguments with respect to claims 1 and 4-13 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Vu whose telephone number is (703) 305-0391. The examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm. If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms., can be reached on (703) 308-4910.

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David Vu

  
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